

## REMARKS

Claims 12-17 and 19-20 have been rejected under the provisions of 35 U.S.C. §103(a) over any one of U.S. patent no. 5,563,728 ("Allen"), Figure 9 of the present application that is identified as "Prior Art" and U.S. patent no. 5,781,321 ("Kobayashi"). Reconsideration of this ground of rejection is respectfully requested.

The two independent claims 12 and 19 remain. Claim 12 defines an integrated infrared transceiver stack of a transceiver circuit, infrared detector and infrared emitter. Claim 19 recites a method of operation of a similar device. Each of the three cited references, however, shows the infrared detector and emitter to be spatially separated from each other. Without any evidence to support the assertion, the Office Action concludes that it would have been obvious "to arrange the device [in] a stack form in order to realize the advantages of space and cost." It is respectfully submitted that such a rejection does not make a *prima facie* case of obviousness. There is no evidence given in the Office Action as to why one of ordinary skill would have found the differences between the claimed subject matter and any of these references to be obvious. Merely alleging the conclusion that the claims are obvious is not sufficient. Therefore, it is respectfully submitted that this rejection must be withdrawn.

The rejection of the dependent claims 14-17 and 20 must also be withdrawn, for the same reasons. In addition, claim 16 includes limitations of two lenses that are not suggested by the cited references.

### Information Disclosure Statement

Prior counsel apparently filed a "Supplemental Information Disclosure Statement" (it is not clear what it supplements) in this application but there is no record in the file inherited from him that it has been considered and made of record in this application. Therefore, a copy of that Statement is being filed herewith. If the Examiner needs copies of any of the references cited in this Statement, they will be promptly supplied in response to a telephone call to the undersigned attorney (415-217-6000).

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Power of Attorney

A "Substitute Power of Attorney by Assignee" is also being filed herewith for entry in connection with the present application.

**EXPRESS MAIL  
LABEL NO:**

**EV029355844US**

Respectfully submitted,

  
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Gerald P. Parsons  
Reg. No. 24,486

April 8, 2002  
Date

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**OFFICE OF PETITIONS**

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## DETAILS OF AMENDMENTS BEING MADE TO THE APPLICATION

### IN THE SPECIFICATION:

Page 1, lines 3-4, please amend the paragraph previously amended, as follows:

This application is a continuation of U.S. Application Serial Number 09/285,608, filed April 2, 1999, which in turn is a continuation-in-part of U.S. Application Serial Number 09/113,306036, filed July 9, 1998.

### IN THE CLAIMS:

Amend claim 13 into independent form, as follows:

13. (Amended) The An improved transceiver system of Claim 12, wherein for sending and receiving infrared signals, comprising:

a circuit structure defined by a front side and a back side;

at least one infrared emitting device located on said front side;

at least one infrared detecting device also located on said front side;

a transceiver circuit device located on said front side;

said infrared detecting device further ~~comprises~~ comprising a front side and a back side, said infrared detecting device back side aligned to face said front side of said circuit structure; and

said infrared emitting device further ~~comprises~~ comprising a back side, said infrared emitting device back side aligned to face said infrared detecting device front side, whereby said infrared emitting device and said infrared detection device form an integrated infrared ~~emitting/infrared~~ emitting and infrared detection device.

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